

Amendment under 37 C.F.R. § 1.111
Serial No. 10/721,995
Attorney Docket No. 032038

REMARKS

Claims 1-6 are pending in the application. Claims 1-6 are herein amended.

Applicant's Response to Claim Objections

The Office Action objected to claims 1-6 because they are not in proper idiomatic format. Specifically, it is required that the claims recite language such as “comprising” instead of “characterized in that.” Accordingly, Applicant has amended the claims to overcome these objections. Favorable reconsideration is respectfully requested.

Applicant's Response to Claim Rejections under 35 U.S.C. § 112

Claims 1, 2, and 4-6 are rejected under 35 U.S.C. § 112, second paragraph, as being unpatentable for failure to particularly point out and distinctly claim the subject matter regarded as the invention. The Office Action has rejected claims 1, 2, and 4-6. The Office Action only offers specific reasons for the rejection to claim 1. Presuming that the Office Action also rejected claims 2 and 4-6 due to their dependency on claim 1, it is unclear why claim 3 was not also rejected. The Office Action rejected claim 1 because it was unclear whether the conveying means or the carriage were performing the loading and unloading. Furthermore, the Office Action states that it is unclear whether the loading and unloading is done in a “direction

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orthogonal” or whether the carriage and/or conveying means have movement in a “direction orthogonal.”

In response, Applicant has amended claim 1. In this amended claim, Applicant has modified the wording in order to more clearly recite the relationship between the conveying means and the carriage with respect to the loading and unloading in the “direction orthogonal.” Furthermore, Applicants have modified the claim in order to positively claim the overhead traveling carriage and the running path. Favorable reconsideration is respectfully requested.

Applicant’s Response to Claim Rejections under 35 U.S.C. § 102

Claims 1-6 were rejected under 35 U.S.C. § 102(b) as being anticipated by **Shiwaku** (U.S. Patent No. 6,183,184). The Office Action argues that **Shiwaku** discloses an overhead traveling carriage system as in the present application. The Office Action states that reference number 3 is a conveying means and reference number 7 and V are a carriage body. Based on Figure 1 of **Shiwaku**, Applicant believes that the Office Action has inadvertently switched these two reference numerals. Applicant believes traveling carriage main body 3 and carriage V of **Shiwaku** are meant to compare to main body 10a of the present invention, and hoist 7 of **Shiwaku** is meant to compare to hoist main body 71.

The Office Action also argues that storage rack member 16 and rack frame 16a are buffers. Applicant respectfully submits that the Office Action has misinterpreted the placement

of the loading buffers. The Office Action appears to argue that the storage rack member 16 and its component part, rack frame 16a, are two distinct elements disposed on the sides of the path, as shown in the Examiner's sketch in the Office Action. In fact, as disclosed in Figure 6, rack frame 16a is a component part of storage rack member 16, along with upper horizontal part 16a', lower horizontal part 16a'' and rack 16c. As shown by Figure 9 and Figure 10 of **Shiwaku**, storage rack 16 is disposed under the running path 1, not at a side as in the present invention. Therefore, storage rack member 16 is not disposed "at a side of" the carriage, as required by claim 1.

Secondly, Applicant argues that the storage rack of **Shiwaku** is not arranged "at a height corresponding to the conveying means," as recited by claim 1. In **Shiwaku**, the storage rack member 16 is arranged around the carriage. However, in the present application the buffers 45 are arranged such that its rollers are at the same height as the rollers of the carriage.

Finally, the lowering system of **Shiwaku** is being broadly interpreted as a conveying means. The direction in which this lowering system moves is also orthogonal relative to the direction of carriage movement. In order to further distinguish from the cited art, Applicant has amended claim 1 to recite that the loading and unloading is done in a direction which is orthogonal to the direction in which the carriage advances as well as in a plane parallel to the plane in which the carriage moves. **Shiwaku** does not disclose this feature.

In summary, **Shiwaku** does not disclose buffers arranged at a side of the running path. Applicant has also amended claim 1 to recite the plane of the loading and unloading as

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mentioned to further distinguish the present invention from **Shiwaku**. Applicant respectfully submits that the claimed invention is distinguishable over the cited art. Favorable reconsideration is respectfully requested.

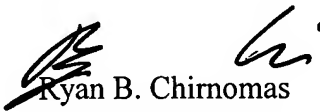
In view of the aforementioned amendments and accompanying remarks, Applicants submits that the claims, as herein amended, are in condition for allowance. Applicant requests such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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